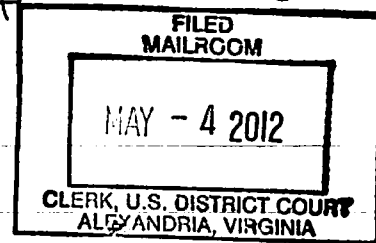


IN THE UNITED STATES DISTRICT
Court For The Eastern District
OF Virginia

5-1-12



Alexandria Division

BOBBY GENE white,
Plaintiff,

v.

case no. 1:11 cv 507

DR. ABDUL Jamaludeen,
Defendant.

comes now Plaintiff Bobby Gene White's memorandum of law in support of my Bobby G. White's request for subpoena(s) of medical records. Also, Clarification of request and request to amend parties to Subpoena,

(Statement of Preceding facts)

In answer against Plaintiff's Bobby G. White's request for subpoena, Dr. ABDUL Jamaludeen by counsel Kevin Jordan O'Brien requested that Plaintiff's motion be denied because Discovery under Federal rule 26(F) has not been conducted. Defendant stipulates that a motion for Dismissal is also still pending.

(Statement of Current facts)

1. Defendant's counsel is in error concerning Plaintiff's Bobby G. White's request for records as being a premature request for Discovery under Fed. R. 26(F).

2

2. The People / Persons mentioned in request for subpoena are not parties to this suit.

3. Letters of request were sent by Plaintiff Bobby G. White to each Place / Party / Person asking for said records or information and were ignored.

4. said records or information are not able to be obtained any other way.

5. said information is necessary to Plaintiff's Bobby G. White's Case

6. Due to false statements as being one of the accusations against defendant Dr. Tarnaludeen and staff, Plaintiff Bobby G. White does not want necessary evidence to come up "missing" and said request is seconded for Protection and preservation of the evidence (and wish to compel under rule 37(a)(3)(B)).

7. Subpoena or request for Production of Documents fall under Fed. rule 34 - not 26 and can be made after discovery meeting or before

argument

Since request is of information from 3rd parties to this case and other means of obtaining said information was ignored, than a subpoena duces tecum under (Fed. rule 45 for materials that fall under (Fed. rule 34 is proper and should be granted. Furthermore, since said request can be made before Discovery and there is nothing to "hide" By Defendant Dr. Jamaldeen then the court should grant Plaintiff's Bobby G. White's request for subpoena(s). Wherefore Plaintiff Bobby G. White prays that my request for subpoenas be granted.

Addendum 1

Clarification of requested parties to subpoenas duces tecum and information requested.

Party #1. Donald A. O'Neill, MD, FAAOS
Medical Director of Vann-Virginia center for orthopaedics,
P.C. DBA: Atlantic Orthopaedic specialist.
230 Clearfield Avenue, suite 124
Virginia Beach, VA 23462-1832

Party #2 Sentara Home Care service's
Department of Physical Therapy (specifically maureen Rydell
DPT (red team) 535 Independence PKwy.
Cherapeake, VA 23320

Party #3 Conmed Healthcare management, INC.
7250 Parkway Drive, Suite 400
Hanover, Maryland 21076

Plaintiff's Bobby G. White's Request

Doctor to Doctor correspondence, E-mails, professional diagnosis and treatment concerning my Bobby Gene Whites, as well as, orders given, any medications, any information relating to and about my Bobby G. Whites medical treatment.

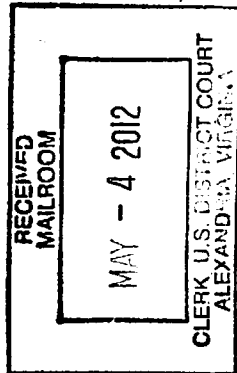
Addendum 2

Plaintiff Bobby Gene White request right to fully amend my Bobby G. White's case/suit with information provided through subpoenas duces tecum prior to adjudication of motion to dismiss.

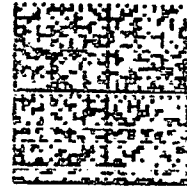
Conclusion

Wherefore, Plaintiff Bobby Gene White prays that ~~my~~ ^{His} request's be granted.

Bobby G. White #10-003521
Virginia Beach Correctional Center
P.O. Box 6186
Virginia Beach, VA 23456



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